

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

VS.

CAUSE NO. 4:15-CR-0073-1

STEVEN HAYNES

DEFENDANT

ORDER GRANTING LEAVE TO FILE EXHIBIT UNDER SEAL

THIS MATTER comes before the Court on Defendant Steven Haynes' Motion for Leave to File Exhibit under Seal [449], which is related to Defendant's Motion for Relief from Protective Order [448].

Local Rule 79(b) specifies that "any order sealing a document must include particularized findings demonstrating that sealing is supported by clear and compelling reasons and is narrowly tailored to serve those reasons." L.U. Civ. R. 79(b). To determine whether to allow the sealing of a requested document, "the court must balance the public's common law right of access against the interests favoring nondisclosure." *SEC v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993). Upon weighing the competing interests, the undersigned finds that the defendant has provided clear and compelling reasons for filing the subject discovery letter from the U.S. Government under seal.

Defendant seeks to attach as Exhibit A to Motion for Relief from Protective Order [448] the U.S. Government's most recent letter of discovery enumerating in detail discovery documents provided to defense counsel via jump-drive and separate discs. The letter sets forth the names of numerous individuals that have given grand jury testimony, and that have spoken in detail with the FBI, the DEA or the MBN regarding various drug activities and other matters.

Defendant seeks to protect from the public the information contained in said letter by filing such letter under seal. The undersigned has been informed that the government has no objection.

After considering the matter, the Court finds for the reasons detailed above that Defendant Haynes' Motion for Leave to File Exhibit Under Seal is well-taken and is, therefore **GRANTED** pursuant to L.U. Civ. R. 79.

ACCORDINGLY, the District Court Clerk's Office is hereby **ORDERED** to receive for filing the letter identified herein, attaching the same as Exhibit A to Defendant's Motion [448], and sealing said Exhibit. It is further ordered that Exhibit A shall remain under seal until further order of this Court.

So **ORDERED** this 8th day of December, 2016.

/s/ Jane M. Virden
MAGISTRATE JUDGE JANE VIRDEN